

## **IC 20-12-15**

### **Chapter 15. Urban Renewal**

## **IC 20-12-15-1**

### **Definitions**

Sec. 1. For the purposes of this chapter, the following terms shall have the meanings, respectively, ascribed to them below:

(a) "Educational institution of higher learning" shall mean an educational institution (no part of the net earnings of which shall inure to the benefit of any private shareholder or individual) which provides an educational program for which it awards a baccalaureate or more advanced degree, or provides for not less than a two (2) year program which is acceptable for full credit towards such a degree, and is accredited by a national accrediting agency or association or, if not so accredited, an educational institution whose credits are accepted, on transfer, by not less than three (3) such accredited educational institutions for credit on the same basis as if transferred from an educational institution so accredited.

(b) "Private redevelopment corporation" shall mean any corporation which is wholly owned or controlled by one (1) or more educational institutions of higher learning or a corporation which operates in behalf of an educational institution on a non-profit basis.

(c) "Municipality" shall mean any city or town which, pursuant to IC 36-7, is authorized through its redevelopment commission to undertake and carry out redevelopment or urban renewal projects.

(d) "Project area" shall mean a slum area or a blighted or deteriorated or deteriorating area as defined in IC 36-7.

(e) "Redevelopment plan" shall mean a plan proposed by an educational institution of higher learning, or a private redevelopment corporation, for the redevelopment and renewal of a project area for educational uses. Such plan shall conform:

(1) to the general plan of the locality as a whole; and

(2) to the requirements of IC 36-7 with respect to the content of redevelopment or urban renewal plans.

*(Formerly: Acts 1961, c.42, s.1.) As amended by P.L.2-1988, SEC.604.*

## **IC 20-12-15-2**

### **Educational institutions authorized to submit redevelopment plan to municipality**

Sec. 2. Any educational institution of higher learning or private redevelopment corporation, as herein defined, shall be authorized to prepare and submit to the redevelopment commission of a municipality a redevelopment plan for a project area adjacent to or in the immediate vicinity of (a) the location of the principal buildings of such institution, or a major branch of such institution, where teaching or research is done or where students or faculty live, and (b) the area of a redevelopment or urban renewal project which has been or is being undertaken by the redevelopment commission having jurisdiction over the territory in which such project area is located.

Such redevelopment commission shall be authorized to approve such redevelopment plan and to contract with such educational institution of higher learning or private redevelopment corporation relative to the carrying out of such redevelopment plan, and the right of such educational institution of higher learning or private redevelopment corporation to obtain credit as a local grant-in-aid for the aggregate amount of expenditures made by any such educational institution of higher learning or redevelopment corporation which would be eligible as such under Title 1 of the Housing Act of 1949, as amended.

*(Formerly: Acts 1961, c.42, s.2.)*

### **IC 20-12-15-3**

#### **Approval of redevelopment plan; hearing; execution of plan**

Sec. 3. If such redevelopment plan shall be approved by the redevelopment commission, such commission shall proceed as provided by IC 36-7. In the event such redevelopment plan shall be approved by the plan commission of the municipality, then the redevelopment commission shall give notice and hold a public hearing as provided in IC 36-7. If, after such public hearing, the redevelopment commission shall determine that the redevelopment of the project area as proposed will be of public utility and benefit, then the commission shall authorize the educational institution of higher learning or private redevelopment corporation to proceed with the acquisition and redevelopment of the property within the project area in accordance with the plan approved.

*(Formerly: Acts 1961, c.42, s.3.) As amended by P.L.2-1988, SEC.605.*

### **IC 20-12-15-4**

#### **Acquisition of real or personal property necessary to carry out plan**

Sec. 4. In carrying out any such redevelopment plan, educational institutions of higher learning and private redevelopment corporations shall have power to acquire by purchase, gift, grant, condemnation or lease any real estate, interests in real estate, or personal property within the project area or needed for the redevelopment of such project area; to clear or contract for the clearance of all real estate acquired for redevelopment purposes, and to repair and maintain such existing structures deemed proper to be included in the redevelopment plan, and to erect new structures or make major structural improvements on existing buildings; also, to sell, lease or grant portions of the land acquired for redevelopment purposes to the municipality or other governmental agency for street, boulevard, levee, sewerage, park, playground, school and other public purposes on such terms and conditions and with or without compensation as may be agreed upon.

*(Formerly: Acts 1961, c.42, s.4.)*

### **IC 20-12-15-5**

**Designated redevelopment agency to apply for and receive local and federal grants**

Sec. 5. (a) When redevelopment plans are proposed and carried out by educational institutions of higher learning and private redevelopment corporations, they shall be the redevelopment agency designated to apply for and receive credit as a local grant-in-aid for the aggregate amount of expenditures made by any such educational institution of higher learning or private redevelopment corporation which would be eligible as such under Title 1 of the Housing Act of 1949 (42 U.S.C. 1452b et seq.), as amended; also, to receive all available federal grants on account thereof.

(b) In cases where educational institutions of higher learning or private redevelopment corporations have acquired before March 4, 1961, from a redevelopment commission all or a portion of lands included within a redevelopment project undertaken before March 4, 1961, by a redevelopment commission under IC 36-7 and have redeveloped the same for educational purposes, such educational institutions of higher learning or private redevelopment corporations shall be the designated redevelopment agency to receive credit for local grants-in-aid for the aggregate amount of expenditures made by such institution or corporation which would be eligible as such under Title 1 of the Housing Act of 1949 (42 U.S.C. 1452b et seq.), as amended; also, to receive all federal grants on account thereof.

(c) For the purpose of obtaining federal cooperation and any available federal grants, such educational institutions of higher learning and private redevelopment corporations shall be authorized to enter into agreements with the federal government or the appropriate agency thereof, and comply with the requirements of any applicable federal statutes.

*(Formerly: Acts 1961, c.42, s.5.) As amended by P.L.2-1988, SEC.606; P.L.3-1989, SEC.125.*

**IC 20-12-15-6**

**Cooperation by municipality or redevelopment commission with educational institution**

Sec. 6. Any municipality or its redevelopment commission may cooperate with an educational institution of higher learning or private redevelopment corporation in carrying out such approved redevelopment plan to the extent in which they may agree but shall not be required to expend any funds or take any action in respect thereto other than as herein provided.

*(Formerly: Acts 1961, c.42, s.6.)*

**IC 20-12-15-7**

**Construction of chapter**

Sec. 7. This chapter, being necessary for the health and welfare of the personnel and students of educational institutions of higher learning, the protection of the property thereof, and to provide land for expansion, shall be liberally construed to effectuate said purposes. Nothing contained in this chapter shall be construed as

repealing, modifying, or amending any of the provisions of other statutes providing for redevelopment or urban renewal projects by any municipality or requiring the expenditure of any funds by such municipality, its redevelopment commission, or its redevelopment district, nor as requiring municipalities, their redevelopment commissions, or redevelopment districts to participate in any federal cooperation or grants on account thereof.

*(Formerly: Acts 1961, c.42, s.7.) As amended by P.L.2-1988, SEC.607.*